

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**JOHN NOCILLA, JR.**

114 Joyce Dr.

Mankato, MN 56001

Plaintiff

VS.

**JOE BRIDGES**

6235 Rosewind Cv,

Memphis, TN 38141

and,

**R & B TRUCKING, INC.**

955 South Easton Blvd

Tupelo, MS 38804

Defendants.

**CASE NO.: 1:21-cv-134**

**JUDGE:** \_\_\_\_\_

## COMPLAINT WITH JURY DEMAND

Plaintiff John Nocilla, Jr (“Plaintiff”) states the following for his Complaint against Defendants Joe Bridges and R & B Trucking, Inc (“Defendant R & B”):

## INTRODUCTION

1. This is an action for personal injuries and economic damages suffered by Plaintiff as a direct and proximate result of the Defendants' negligent conduct.

**JURISDICTION AND VENUE AND PARTIES**

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1332(a)(1) because this case is a civil action where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States.

3. Venue is properly set in this District pursuant to 28 U.S.C. §1391(b) since a substantial part of the events giving rise to the claim occurred within this judicial district.

4. This court has personal jurisdiction over Defendants pursuant to and consistent with the Constitutional requirements of Due Process in that Defendants, acting through their agents or apparent agents, committed a tortious act within this state.

5. Requiring Defendants to litigate these claims in Ohio does not offend the traditional notions of fair play and substantial justice and is permitted by the United States Constitution. All of Plaintiff's claims arise in part from conduct Defendants purposefully directed to Ohio.

6. Plaintiff is an over-the-road trucker who is domiciled in Minnesota.

7. Upon information and belief, Defendant Joe Bridges is an over-the-road trucker who is domiciled in Tennessee.

8. Upon information and belief, Defendant R & B Trucking, Inc. is a corporation registered with the state of Mississippi with its primary place of business and headquarters located in Mississippi.

**COUNT I**  
**(Negligence of Defendant Joe Bridges)**

9. Plaintiff John Nocilla restates and incorporates all previous paragraphs.

10. On or about April 23, 2019 at approximately 3:31am, Plaintiff John Nocilla was a pedestrian walking into an Office Depot warehouse located at 4700 Muhlhauser Rd, Hamilton, ohio 45011 (“Office Depot”).

11. On or about April 23, 2019 at approximately 3:31am, Defendant Joe Bridges operated a Freightliner truck owned by Defendant R & B at the Office Depot.

12. Defendant Bridges’ Freightliner was backed into the loading dock of the Office Depot.

13. Without properly checking his surroundings, Defendant Bridges suddenly pulled forward without having his headlights on and struck Mr. Nocilla on the side.

14. Defendant Joe Bridges carelessly and without due regard for the safety of others operated his vehicle in a negligent manner thereby causing a pedestrian collision between his vehicle and Plaintiff John Nocilla.

15. Defendant Joe Bridges owed a duty to Plaintiff John Nocilla to operate the Freightliner in a prudent, reasonably careful manner to avoid striking pedestrians, such as Plaintiff.

16. As a direct and proximate result of Defendant Joe Bridges’ negligence, Plaintiff John Nocilla has incurred temporary and permanent injuries and has endured both physical and mental pain and will continue to endure the pain and suffering in the future.

17. As a direct and proximate result of Defendant Joe Bridges’ negligence, Plaintiff John Nocilla has incurred medical expenses and will continue to incur medical expenses in the future.

18. As a direct and proximate result of Defendant Joe Bridges' negligence, Plaintiff John Nocilla has incurred lost wages and will continue to incur lost wages in the future.

19. As a direct and proximate result of Defendant Joe Bridges' negligence, Plaintiff John Nocilla has suffered damages for the lost enjoyment of life and will continue to suffer the loss of enjoyment of life in the future.

**COUNT II**  
**(Negligent Entrustment of Defendant R & B Trucking)**

20. Plaintiff John Nocilla restates and incorporates all previous paragraphs.

21. Defendant R & B negligently permitted Defendant Joe Bridges to operate its Freightliner truck.

22. Upon information and belief, Defendant R & B instructed Defendant Bridges to make a deliver a load of product to the Office Depot.

23. Defendant Joe Bridges was an incompetent, reckless, uninsured, and/or unsafe driver.

24. Defendant R & B knew or should have known that Defendant Joe Bridges was an incompetent, reckless, uninsured, and/or unsafe driver, and Defendant R & B was negligent in allowing Defendant Joe Bridges to take possession of and drive its vehicle.

25. As a direct and proximate result of Defendant R & B's negligence, Plaintiff John Nocilla has incurred temporary and permanent injuries and has endured both physical and mental pain and will continue to endure the pain and suffering in the future.

26. As a direct and proximate result of Defendant R & B's negligence, Plaintiff John Nocilla has incurred medical expenses and will continue to incur medical expenses in the future.

27. As a direct and proximate result of Defendant R & B's negligence, Plaintiff John Nocilla has incurred lost wages and will continue to incur lost wages in the future.

28. As a direct and proximate result of Defendant R & B's negligence, Plaintiff John Nocilla has suffered damages for the lost enjoyment of life and will continue to suffer the loss of enjoyment of life in the future.

**WHEREFORE**, Plaintiff John Nocilla demands judgment against Defendants and damages as follows:

- A. Compensatory damages against Defendants jointly and severally in excess of \$75,001.00;
- B. Statutory damages;
- C. Pre-judgment and post-judgment interest; and
- D. Any other legal and equitable relief this court deems proper.

Respectfully Submitted,

/s/ Robert L. Thompson  
**Robert L. Thompson (0098126)**  
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**JURY DEMAND**

Plaintiff Demands a trial by Jury on all triable issues.

/s/ Robert L. Thompson  
**Robert L. Thompson (0098126)**